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Via Electronic Case Filing

Hon. Denis R. Hurley
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *Trustees of the Northeast Carpenters Health, et al.*
v. Precision Enterprise of NY, Inc., 20 CV 5624 (DRH)(ST)

Dear Judge Hurley:

This firm represents the Petitioners in the above-referenced action. We write pursuant to your Honor's April 27, 2021 order to provide the Court with a status update and to further request that the court deem the Petition as an unopposed motion for summary judgment.

Petitioners commenced this action to confirm and enforce an arbitration award against Respondent by filing the Petition on November 18, 2020. Respondent was served with the Summons and Petition on November 23, 2020, as evidenced by the affidavit of service on file with the Court. *See* Dkt. 9. Respondent has not appeared in this action, and its deadline to do so has expired. Petitioners now write to respectfully request that the Petition be reviewed as a motion to confirm the arbitration award and be deemed unopposed. *See, e.g., D.H. Blair & Co., Inc. v. Gottdiener*, 462 F.3d 95, 109 (2d Cir. 2006) (noting that a petition to confirm an arbitration award that is supported by accompanying records should itself be treated as a motion for summary judgment); *see also* 9 U.S.C. § 6 ("Any application to the court hereunder shall be made and heard in the manner provided by law for the making and hearing of motions"). Accordingly, Petitioners respectfully request that the Court deem their Petition as an unopposed motion for summary judgment. In the alternative, Petitioners will file a certificate of default in the event the Court does not deem the petition as an unopposed motion for summary judgment.

We thank the Court for its time and attention to this matter.

Respectfully submitted,



/s/
Marlie Blaise, Esq.

cc: Via First Class Mail
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